



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT
Governor

February 28, 2019

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Lynne Miller, Chairperson
Norman Utilities Authority
c/o Kenneth Komiske, Utilities Director
City of Norman
P.O. Box 370
Norman, Oklahoma 73070-0370

Re: Consent Order 13-077- Addendum A
Norman Utilities Authority Wastewater Treatment Facility
Facility No. S-20616
OPDES Permit No. OK0029190
Problem(s): Permit Violation(s); OPDES Permit Compliance Schedule; TSS and Ammonia
Exceeded Permit Limits; Fecal Coliform Monitoring Violation(s); DMR
Violation(s); Submittal of Incomplete DMR(s)

Dear Ms. Miller:

Enclosed is the proposed Addendum A to Consent Order 13-077 that reflects a new agreement reached between the Norman Utilities Authority (Authority) and the Department of Environmental Quality (DEQ). The Consent Order is being amended in order to implement a task schedule to complete the Authority's Supplemental Environmental Project (SEP).

Please sign and mail the original to me at: Department of Environmental Quality, Water Quality Division, P.O. Box 1677, Oklahoma City, Oklahoma 73101-1677. **A copy of the file stamped signed original will be returned to you.** If this Addendum is not signed and returned to DEQ within thirty (30) days of receipt, we will pursue other enforcement actions to ensure compliance.

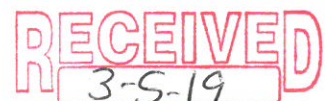
If you have any questions or comments concerning this Addendum, please contact Taylor Maxwell, E.I., District Representative, Municipal Wastewater Enforcement Section, Water Quality Division, DEQ, at (405) 702-8177 or write to Ms. Maxwell at the letterhead address.

Sincerely,

Shellie R. Chard, Director
Water Quality Division
Oklahoma Department of Environmental Quality

Enclosure

cc: Steven D. Hardeman, Utilities Superintendent, City of Norman
Mark Daniels, Utilities Engineer, City of Norman



ADDENDUM A

On August 28, 2014, the Department of Environmental Quality ("DEQ") and the Norman Utilities Authority ("Respondent") agreed to Consent Order 13-077 ("Order"). Paragraph 39.a of the Order required the Respondent to complete a Supplemental Environmental Project ("SEP") with associated expenditures in the amount of at least \$80,000 in lieu of paying a cash penalty. On September 23, 2014, DEQ approved an engineering report ("ER") for the SEP that consisted of using effluent from the Respondent's Water Reclamation Facility ("WRF") to process compost.

In a letter dated July 18, 2018, DEQ approved a variance from OAC 252:656-27-3(b)(3) to allow the use of ultraviolet-disinfected effluent from the WRF in place of chlorine-disinfected effluent for the composting process. On October 2, 2018, DEQ issued a letter to the Respondent requesting a revised task schedule for completing the approved SEP.

On November 19, 2018, DEQ received a letter from Mark Daniels, P.E., Engineer for Respondent, which included a revised schedule proposing that the SEP would be completed by July 1, 2020. The proposed revised schedule is the basis for this Addendum.

Pursuant to Paragraph 44 of the Order, the Parties agree to amend Paragraphs 39 and 48 of the Order as follows:

39. The Oklahoma Pollutant Discharge Elimination System Act, 27A O.S. §§ 2-6-201 through 2-6-206, authorizes DEQ to seek penalties of up to ten thousand dollars (\$10,000) per day of violation, for each day during which a violation of the permit continues. Based on the facts and circumstances of this case, DEQ assesses a total penalty of forty thousand dollars (\$40,000).

- a. The parties agree that, in lieu of paying a cash penalty, Respondent will complete the approved Supplemental Environmental Project ("SEP") by July 1, 2020, in accordance with the schedule received by DEQ on November 19, 2018. Respondent agrees that expenditures reasonably associated with the SEP will be at least \$80,000. Respondent will submit documentation of completion of the SEP within 14 days after completion. If Respondent fails to complete the SEP by the date specified, the \$40,000 will become immediately due and payable to the DEQ.

All penalty payments shall be by check or money order payable to the Oklahoma Department of Environmental Quality (or ODEQ), showing the Case Number of this Consent Order, and delivered to:

Accounts Receivable
Financial & Human Resources Management
Department of Environmental Quality
P.O. Box 2036
Oklahoma City, OK 73101-2036

48. Unless otherwise specified, any report, notice or other communication required under this Order must be in writing and must be sent to:

For DEQ:

Taylor Maxwell, E.I., District Engineer
Municipal Wastewater Enforcement Section
Water Quality Division
Department of Environmental Quality
P.O. Box 1677
Oklahoma City, Oklahoma 73101-1677

For Respondent:

Kenneth Komiske, Utilities Director
City of Norman
P.O. Box 370
Norman, Oklahoma 73069-0370

This Addendum will be attached to the Order. All other terms of the previously issued Order are binding as written.

This Addendum becomes effective on the date of the last of two signatures below.

FOR NORMAN UTILITIES AUTHORITY: FOR OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY:

LYNNE MILLER
CHAIRPERSON

SCOTT A. THOMPSON
EXECUTIVE DIRECTOR

DATE

DATE